IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE CHIEF JUSTICE MR.H.L.DATTU
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

WEDNESDAY, THE 19TH SEPTEMBER 2007 / 28TH BHADRA 1929

WA.No. 2191 of 2007

AGAINST THE JUDGEMENT IN WP(C) NO.15756/2007 DATED 29.6.2007

APPELLANTS: RESPONDENTS 1 AND 2:
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1. THE PRINCIPAL,
   KENDRIYA VIDYALAYA NO.1,
   HEMAMBIKA NAGAR, PALAKKAD.

2. THE ASSISTANT COMMISSIONER,
   REGIONAL OFFICE,
   KENDRIYA VIDYALAYA SANGATHAN,
   I.I.T. CAMPUS, CHENNAI.

BY ADV. SRI.V.V.ASOKAN

RESPONDENTS: PETITIONER & THIRD RESPONDENT:
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1. N.SOMADAS, S/O NARAYANAN,
   ODENCHERRY HOUSE, KALAMANDAPAM,
   VADAKKUMURY, PALAKKAD (PRESENTLY EMPLOYED
   AS CONSTABLE IN RAILWAY PROTECTION FORCE,
   PALAKKAD JUNCTION RAILWAY STATION)

2. THE DIVISIONAL RAILWAY MANAGER,
   DIVISIONAL OFFICE, OLAVAKKODE,
   PALAKKAD.

BY ADV. SRI.ALEXANDER THOMAS,SC RAILWAY
SRI.RAJESH SIVARAMANKUTTY

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 19/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

H.L.DATTU, C.J. & K.T.SANKARAN,J.

W.A. NO. 2191 OF 2007 E

Dated this the 19th September, 2007

JUDGMENT

H.L.DATTU, C.J.

This appeal is directed against the orders passed by the learned single Judge in W.P.(C) No.15756 of 2007, dated 29th June, 2007. By the impugned judgment, the learned single Judge has directed the appellants herein (respondents 1 and 2 in the Writ Petition) to admit the petitioner's/first respondent's daughter in the Kendriya Vidyalaya No.1, Palakkad.

2. Several contentions are raised by the appellants in this appeal. But, we do not intend to go into those contentions. We reserve those contentions of the appellants to argue in appropriate cases.

3. Since the learned single Judge has directed the appellants herein to admit the petitioner's daughter to Class IV and that direction has already been complied with by the appellants, at this stage, we do not intend to interfere with the impugned judgment. Therefore the following:

O R D E R

i) The Writ Appeal is rejected.

ii) The orders passed by the learned single Judge shall not be treated as a precedent in any other case.

iii) Liberty is reserved to the appellants to raise all such contentions

which are available to them and also the contentions raised in this Writ Appeal in appropriate proceedings.

Ordered accordingly.

(H.L.DATTU)
Chief Justice

(K.T.SANKARAN)
Judge

ahz/